

FILED
DISTRICT COURT
EASTERN DISTRICT OF LA
2006 JUL 24 AM 10:23
LORETTA G. WHYTE
CLERK

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUL - 5 2006

FILED
CLERK'S OFFICE

DOCKET NO. 1657

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION**

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-56)

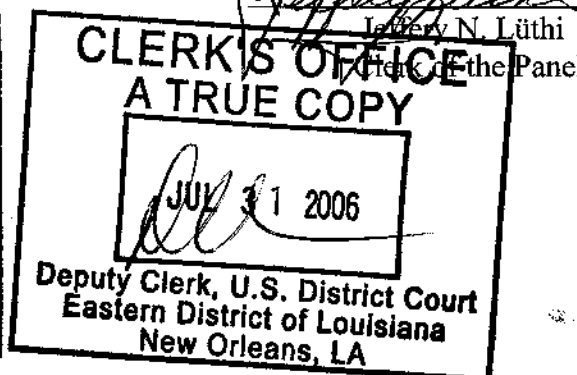
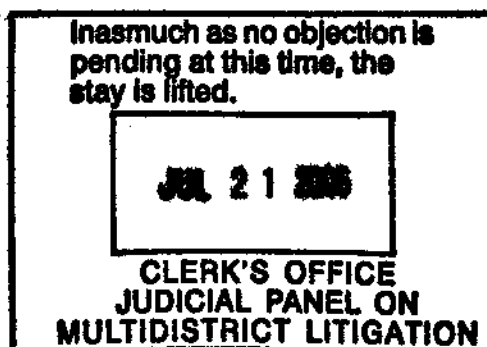
On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 3,987 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the Panel's order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Fee _____
Process _____
X Dktd _____
CtRmDep _____
Doc. No. 5893

SCHEDULE CTO-56 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

EDLA
SEC. L/3

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
ALABAMA MIDDLE		
ALM 3 06-476	Rosemary Leverett, etc. v. Merck & Co., Inc., et al. Opposed 7/18/06	
ALABAMA NORTHERN		
ALN 2 06-1180	Clinton Gene Kelley v. Merck & Co., Inc.	06-3863
ARIZONA		
AZ 2 06-1469	Sultan Rahim Strong, etc. v. Merck & Co., Inc., et al. Opposed 7/19/06	
CALIFORNIA CENTRAL		
CAC 2 06-3379	Ann A Baumgartner, et al. v. Merck & Co., Inc.	06-3864
CAC 2 06-3380	Stephen R. Bajon, et al. v. Merck & Co., Inc.	06-3865
CALIFORNIA EASTERN		
CAE 2 06-1294	Michael Neaderhiser v. Merck & Co., Inc., et al.	06-3866
CAE 2 06-1313	Lino Laolagi, et al. v. Merck & Co., Inc.	06-3867
FLORIDA MIDDLE		
FLM 3 06-510	Mary Kilis, etc. v. Merck & Co., Inc.	06-3868
FLM 3 06-529	Janis Roberts v. Merck & Co., Inc.	06-3869
FLM 3 06-550	James Mollenhour v. Merck & Co., Inc., et al.	06-3870
FLM 8 06-1064	Kada Kahric v. Merck & Co., Inc.	06-3871
FLM 8 06-1115	Fay Virginia Perttunen, etc. v. Merck & Co., Inc.	06-3872
FLORIDA SOUTHERN		
FLS 0 06-60849	Gloria Lopez v. Merck & Co., Inc.	06-3873
FLS 1 06-21425	Nellie Granger, etc. v. Merck & Co., Inc.	06-3874
FLS 1 06-21470	Beatrice Tinsley v. Merck & Co., Inc.	06-3875
FLS 9 06-80545	Milton Elliot v. Merck & Co., Inc., et al. Opposed 7/20/06	
GEORGIA NORTHERN		
GAN 1 06-1428	Mary Louise Gollus v. Merck & Co., Inc.	06-3876
IDAHO		
ID 1 06-230	June Joos, et al. v. Merck & Co., Inc.	06-3877
ID 2 06-225	Mary Ann Pierce v. Merck & Co., Inc.	06-3878
ILLINOIS SOUTHERN		
ILS 3 06-430	Coy Nunn, et al. v. Merck & Co., Inc., et al. Opposed 7/20/06	
ILS 3 06-462	Ruthie Young, et al. v. Merck & Co., Inc., et al. Opposed 7/20/06	
ILS 3 06-463	Jeanne Haefner v. Merck & Co., Inc.	06-3879
ILS 3 06-465	Demetrius Hardaway, et al. v. Merck & Co., Inc., et al. Opposed 7/20/06	

SCHEDULE CTO-56 TAG-ALONG ACTIONS (MDL-1657)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA SEC. L/3</u>
INDIANA SOUTHERN INS 1 06-842	Virginia Rexroat, et al. v. Merck & Co., Inc.	06-3880
KANSAS KS 2 06-2233	David Christie v. Merck & Co., Inc.	06-3881
KENTUCKY EASTERN KYE 0 06-96	Anna Louise Curls v. Merck & Co., Inc.	06-3882
LOUISIANA WESTERN LAW 5 06-1003	Randy Brazzel v. Merck & Co., Inc.	06-3883
MARYLAND MD 1 06-1575 MD 1 06-1578	Guy E. Gaston v. Merck & Co., Inc. Charles N. Burgess, et al. v. Merck & Co., Inc.	06-3884 06-3885
MINNESOTA MN 0 06-2378 MN 0 06-2449 MN 0 06-2450 MN 0 06-2451 MN 0 06-2452 MN 0 06-2453 MN 0 06-2454 MN 0 06-2455 MN 0 06-2457 MN 0 06-2499	James R. Topp, Jr., et al. v. Merck & Co., Inc. John V. Crimmins v. Merck & Co., Inc. Ronald E. Hill v. Merck & Co., Inc. Donald E. Tremblay v. Merck & Co., Inc. Peter F. Bruers v. Merck & Co., Inc. Marc A. Pamode v. Merck & Co., Inc. Hugh W. Bernhardt v. Merck & Co., Inc. Ronald Skube v. Merck & Co., Inc. Peter Vondrak v. Merck & Co., Inc. Judith Kinney, et al. v. Merck & Co., Inc.	06-3886 06-3887 06-3888 06-3889 06-3890 06-3891 06-3892 06-3893 06-3894 06-3895
MISSISSIPPI SOUTHERN MSS 1 06-593	Annie W. McDonald, etc. v. Merck & Co., Inc.	06-3896
NEBRASKA NE 4 06-3140	Margie H. Gibbs, et al. v. Merck & Co., Inc.	06-3897
NEW YORK EASTERN NYE 1 06-2919	Harvey Kleinstein, et al. v. Merck & Co., Inc.	06-3898
NEW YORK NORTHERN NYN 5 06-668 NYN 6 06-666	Yolanda C. Fero, etc. v. Merck & Co., Inc., et al. Paula Werner-Vecellio, et al. v. Merck & Co., Inc., et al.	06-3899 06-3900
NEW YORK SOUTHERN NYS 1 06-4430	Margarita Segui v. Merck & Co., Inc.	06-3901
NEW YORK WESTERN NYW 6 06-6289	William L. Matthews, etc. v. Merck & Co., Inc., et al.	06-3902
OHIO NORTHERN OHN 1 06-1466	Sandra Burnett, et al. v. Merck & Co., Inc., et al.	06-3903
OKLAHOMA WESTERN OKW 5 06-623	Marjorie Murphy, et al. v. Merck & Co., Inc.	06-3904

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PENNSYLVANIA EASTERN		
PAE 2 06-2532	J. Mary Basanta v. Merck & Co., Inc.	06-3905
PAE 2 06-2546	Joan M. Kelly, et al. v. Merck & Co., Inc., et al.	06-3906
PAE 2 06-2547	George Boyd, et al. v. Merck & Co., Inc., et al.	06-3907
PAE 2 06-2548	Martha Tanner, et al. v. Merck & Co., Inc., et al.	06-3908
PAE 2 06-2549	Jeffrey Klimmek, et al. v. Merck & Co., Inc., et al.	06-3909
PAE 2 06-2550	Jessie Powers v. Merck & Co., Inc., et al.	06-3910
PAE 2 06-2551	Richard F. McLaughlin, et al. v. Merck & Co., Inc., et al.	06-3911
PAE 2 06-2552	John Dyminski, et al. v. Merck & Co., Inc., et al.	06-3912
PAE 2 06-2553	Caridad Castillo, et al. v. Merck & Co., Inc., et al.	06-3913
PAE 2 06-2606	Donald Scheirer, et al. v. Merck & Co., Inc.	06-3914
PAE 2 06-2622	Murray Bidner, et al. v. Merck & Co., Inc., et al.	06-3915
PENNSYLVANIA WESTERN		
PAW 2 06-740	Carol Gault, et al. v. Merck & Co., Inc.	06-3916
PAW 2 06-791	Sherrie A. MacKinney v. Merck & Co., Inc.	06-3917
PAW 2 06-809	Thomas Conner v. Merck & Co., Inc.	06-3918
TEXAS EASTERN		
TXE 5 06-120	Richard Glen Gunnels v. Merck & Co., Inc.	06-3919
TXE 9 06-120	Sara Best, et al v. Merck & Co., Inc.	06-3920
TEXAS WESTERN		
TXW 1 06-414	Marie D. Garnett, et al. v. Merck & Co., Inc.	06-3921
TXW 3 06-196	Stuart Lee Neff v. Merck & Co., Inc.	06-3922
UTAH		
UT 2 06-454	C. Gordon Linnett v. Merck & Co., Inc.	06-3923
UT 2 06-493	Ellen Burlison, etc. v. Merck & Co., Inc.	06-3924
WASHINGTON WESTERN		
WAW 2 06-841	Jeanette Stroschein, etc. v. Merck & Co., Inc.	06-3925